

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3464 of 2018

Arising Out of PS.Case No. -122 Year- 2017 Thana -MUSRIGHRARI District- SAMASTIPUR

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Sanjay Singh @ Sanjay Kumar Singh, Son of Late Suman Singh @ Late Bhaggan Singh, Resident of Village - Fatehpur, Police Station - Musrigharari, District - Samastipur.

.... Appellant/s

Versus

1. The State of Bihar.
2. Khushbu Devi, Wife of Late Harendra Paswan, Resident of Village - Fatehpur Murgia Chak, Ward No. 8, Police Station - Musrigharari, District - Samastipur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjan Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 08-10-2018

Heard learned counsel for the parties.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the "SC/ST Act") against the refusal of prayer for regular bail vide order dated 13.08.2018 in Musrigharari P.S. Case No. 122 of 2017 passed by the learned Special Judge S.C./S.T. (POA) Act, Samastipur in connection with the aforesaid case registered under Sections 302, 201/34 of the Indian Penal Code, Act as well as Section 3(i)(r)(s), 3(2)(va) of the SC/ST Act.

According to FIR, the appellant had taken the husband of the informant on the pretext of playing cards. Subsequently, the informant came to know that during play of the cards, a quarrel started



between the players and the appellant allegedly throttled the husband of the informant to death.

Learned counsel for the appellant submits that there is no eye witness of the occurrence and post mortem report would reveal that the Doctor has not found any external injury on the person of the deceased.

Considering the aforesaid facts, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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